

Exhibit 15

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RVRG Holdings LLC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RVRG HOLDINGS LLC,

Plaintiff

v.

DUCHAT NIA, GTUIRESHANGMA,
JINANKUNYANGCHENGDIANZISHANGWUYO
UXIANGONGSI, SCHNUPFELD,
SUININGXIANLONGRONGZHENZHIDIAN,
XIANGYANGSHICHENLUXING,
YUNNANMAGAOWANGLUOKEJIYOUXIANGO
NGSI, ZHENSERIND, and 四川咏虹驰甜电子商务
有限公司 a/k/a SICHUAN YONGHONG CHITIAN
ECOMMERCE CO., LTD.,

Defendants

CIVIL ACTION NO.:

COMPLAINT

Jury Trial Requested

reflected in the respective registrations attached hereto as **Exhibit C**.

15. The success of the Rhude Products is due in part to Plaintiff's marketing and promotional efforts. These efforts include advertising and promotion through social media, Plaintiff's website (available at <https://rh-ude.com/>) and print and internet-based advertising.

16. Plaintiff's success is also due to its use of the highest quality materials and processes in making the Rhude Products.

17. Additionally, Plaintiff owes a substantial amount of the success of the Rhude Products to its consumers and word-of-mouth buzz that its consumers have generated.

18. Plaintiff's efforts, the quality of Plaintiff's products and the word-of-mouth buzz generated by its consumers have made the Rhude Marks and Rhude Products prominently placed in the minds of the public. Members of the public and retailers have become familiar with the Rhude Marks and Rhude Products and have come to associate them exclusively with Rhude. Plaintiff has acquired a valuable reputation and goodwill among the public as a result of such associations.

19. Plaintiff has gone to great lengths to protect its interests in the Rhude Products and the Rhude Marks. No one other than Plaintiff and its authorized licensees and distributors are authorized to manufacture, import, export, advertise, offer for sale or sell any goods utilizing the Rhude Marks, or use the Rhude Marks in connection with goods or services or otherwise, without the express permission of Plaintiff.

Amazon and Defendants' User Accounts

20. Amazon is an online marketplace and e-commerce platform that allows manufacturers, wholesalers and other third-party merchants, like Defendants, to advertise, distribute, offer for sale, sell and ship their wholesale and retail products originating from China²

² See Juozas Kaziukenas, *Chinese Sellers Are Building Brands on Amazon*, Marketplace Pulse (Dec. 6, 2018), <https://www.marketplacepulse.com/articles/chinese-sellers-are-building-brands-on-amazon>.

directly to consumers worldwide and specifically to consumers residing in the U.S., including New York.

21. Amazon is recognized as one of the leaders of the worldwide e-commerce and digital retail market and the company's net sales were \$143.3 billion in the first quarter of 2024.³ Sales to the U.S. make up a significant percentage of the business done on Amazon.⁴ As of July 19, 2024, Amazon had a market capital of \$1.91 trillion, making it the fifth most valuable company in the U.S.⁵

22. Many of the third-party merchants that have User Accounts with and operate Merchant Storefronts on Amazon, like Defendants, are located in China, who recently accounted for nearly half of all businesses on Amazon.⁶

23. In Q1 of 2024, third party merchants, like Defendants, generated \$34.6 billion, accounting for 61% of Amazon's sales.⁷

24. Amazon aggressively uses the Internet and television, to market itself and the products offered for sale and/or sold by its third-party merchant users to potential consumers, particularly in the U.S. In 2023 alone, Amazon spent \$44.4 billion on marketing, up from \$42.3 billion the previous year.⁸

³ *Amazon.com Announces First Quarter Results*, Business Wire (Apr. 30, 2024), <https://www.businesswire.com/news/home/20240429744210/en/Amazon.com-Announces-First-Quarter-Results>.

⁴ See Amazon.com, Inc., Quarterly Results Q4 Earnings (Form 10-K) (Feb. 1, 2024).

⁵ STOCK ANALYSIS (last visited Jul. 19, 2024), <https://stockanalysis.com/stocks/amzn/market-cap/>.

⁶ John Herrman, *The Junkification of Amazon Why does it feel like the company is making itself worse?*, NEW YORK MAGAZINE (Jan. 30, 2023), <https://nymag.com/intelligencer/2023/01/why-does-it-feel-like-amazon-is-making-itself-worse.html>.

⁷ Daniela Coppola, *Quarterly value of Amazon third-party seller services 2017-2024*, STATISTA (May 7, 2024), <https://www.statista.com/statistics/1240236/amazon-third-party-seller-services-value/#:~:text=Amazon%27s%20net%20sales%20generated%20through%20its%20third-party%20seller,fees%20and%20other%20services%20related%20to%20third-party%20sellers>.

⁸ Daniela Coppola, *Worldwide Amazon marketing expenditure 2010-2023*, STATISTA (Feb 8, 2024), <https://www.statista.com/statistics/506535/amazon-marketing-spending/#:~:text=In%20the%20fiscal%20year%202023%2C%20Amazon%E2%80%99s%20marketing%20spending,42.3%20billion%20U.S.%20dollars%20in%20the%20previous%20year>, Daniela Coppola, *Share of paid units sold by third-party sellers on Amazon platform from 2nd quarter 2007 to 4th quarter 2023*, STATISTA (Feb 8, 2024),